

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**JEVER ERNESTO
CASTREJON-MENDOZA,**

Petitioner,

v.

K. DIXON,

Respondent.

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Civil Action No. **3:11-CV-1974-L**

ORDER

Before the court is Jever Ernesto Castrejon-Mendoza's ("Petitioner") Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241, filed on August 9, 2011. The case was referred to Magistrate Judge Paul D. Stickney, who entered Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report"), on January 22, 2013, recommending that the petition be denied. No objections to the Report were filed.

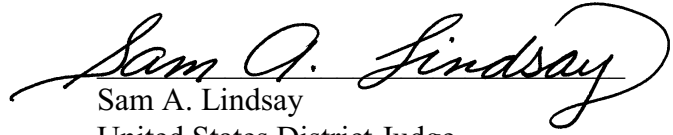
Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **denies** Petitioner's petition for writ of habeas corpus, and **dismisses** this action **with prejudice**.

Because Petitioner filed his petition under 28 U.S.C. § 2241, he is not required to obtain a certificate of appealability to proceed on appeal. *Padilla v. United States*, 416 F.3d 424, 425 (5th Cir. 2005) (per curiam). The court, however, certifies that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3). Based on the Report, the court finds that any appeal of

this action would present no legal point of arguable merit and would, therefore, be frivolous.

Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983).

It is so ordered this 14th day of February, 2013.


Sam A. Lindsay
United States District Judge